

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

ERIC EICHEL, Individually and  
as Personal Representative of  
the Estate of Randi Eichel

&

SHANNAH EICHEL, a minor by and  
through her father and next  
friend Eric Eichel

Plaintiffs

v.

UNITED STATES  
OF AMERICA,

Defendant

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CIVIL ACTION NO. MJG-02-4207

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DISCOVERY STATUS REPORT

In accordance with the Court's Scheduling Order, the Defendant, the United States of America, by its attorneys, hereby reports on the status of discovery in the case to date. Specifically, it is submitted that:

1. Discovery in this matter has been substantially completed; the Plaintiff has recently scheduled depositions of the defense experts and is in the process of completing same. The deposition of one of the aforementioned defense experts occurred on December 17, 2003; the other is scheduled for January 13, 2004. If the Court so desires, counsel will file a second report regarding the status of discovery on January 31, 2004.

2. There are no motions pending presently. The United States does not presently intend to file a dispositive pretrial motion.

3. The case will be tried before the Court, with the duration of the trial spanning, from the defense perspective, one week.

4. The parties have not yet discussed settlement of the case. It is the position of the United States that sending the case to another judge of the court for a settlement conference would be premature at this time.

5. The United States does not now mutually consent to having the above-captioned case referred for all purposes to a United States Magistrate Judge for further proceedings.

Respectfully submitted,

THOMAS M. DIBIAGIO  
United States Attorney

By: \_\_\_\_\_  
TARRA DeSHIELDS  
Assistant United States Attorney  
General Bar No. 07749

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(410) 209-4800

Counsel for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17<sup>th</sup> day of December, 2003, a copy of the foregoing Discovery Status Report was electronically filed and so served upon Karl J. Protil, Jr., Shulman, Rogers, Gandal, Pordy & Ecker, P.A., 11921 Rockville Pike, Third Floor, Rockville, Maryland 20852.

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TARRA DeSHIELDS  
Assistant United States Attorney